

No. 16
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House Chamber, Lansing, Wednesday, February 20, 2008.

1:30 p.m.

The House was called to order by the Speaker Pro Tempore.

The roll was called by the Clerk of the House of Representatives, who announced that a quorum was present.

Accavitti—present	Dillon—present	Lahti—present	Pearce—present
Acciavatti—present	Donigan—present	LaJoy—present	Polidori—present
Agema—present	Ebli—present	Law, David—present	Proos—present
Amos—present	Elsenheimer—present	Law, Kathleen—present	Robertson—present
Angerer—present	Emmons—present	LeBlanc—present	Rocca—present
Ball—present	Espinoza—present	Leland—present	Sak—present
Bauer—present	Farrah—present	Lemmons—present	Schuitmaker—present
Bennett—present	Gaffney—present	Lindberg—present	Scott—present
Bieda—present	Garfield—present	Marleau—present	Shaffer—present
Booher—present	Gillard—present	Mayes—present	Sheen—present
Brandenburg—present	Gonzales—present	McDowell—present	Sheltrown—present
Brown—present	Green—present	Meadows—present	Simpson—present
Byrnes—present	Griffin—present	Meekhof—present	Smith, Alma—present
Byrum—present	Hammel—present	Meisner—present	Smith, Virgil—present
Calley—present	Hammon—present	Melton—present	Spade—present
Casperson—present	Hansen—present	Meltzer—present	Stahl—present
Caswell—present	Hildenbrand—present	Miller—present	Stakoe—present
Caul—present	Hood—present	Moolenaar—present	Steil—present
Cheeks—present	Hoogendyk—present	Moore—present	Tobocman—present
Clack—present	Hopgood—present	Moss—present	Vagnozzi—present
Clemente—present	Horn—present	Nitz—present	Valentine—present
Condino—present	Huizenga—present	Nofs—present	Walker—present
Constan—present	Hune—present	Opsommer—present	Ward—present
Corriveau—present	Jackson—present	Palmer—present	Warren—present
Coulouris—present	Johnson—present	Palsrok—present	Wenke—present
Cushingberry—present	Jones, Rick—present	Pastor—present	Wojno—excused
Dean—present	Jones, Robert—present	Pavlov—present	Young—present
DeRoche—present	Knollenberg—present		

Rep. Tom Pearce, from the 73rd District, offered the following invocation:

“In light of this being the week we celebrated President’s Day, I think it is appropriate to read a couple of quotes that are as relevant today as when they were first spoken.

President Lincoln once stated: ‘The probability that we may fail in the struggle ought not deter us from the support of a cause we believe to be just.’

At another time he shared: ‘I have been driven many times upon my knees by the overwhelming conviction that I had nowhere else to go. My own wisdom and that of all about me seemed insufficient for that day.’

Will you pray with me?

Father You have promised in Your Word that if Your people who are called by Your name will humble themselves and seek Your face then You will hear from heaven and heal their land.

It is my earnest prayer that we Your servants and the servants of the people of this state will humble ourselves and acknowledge our need of Your healing.

May we fervently seek Your wisdom in each and every decision we are asked to make. May we see the challenges placed before us through Your eyes and respond accordingly.

Be with our leaders both here and in Washington. We pray an added blessing on their efforts today and for their families.

And Lord be with those who are serving our country both here and abroad. May they feel our admiration for their selflessness and sacrifice. May they know today that they serve a grateful nation. AMEN.”

Rep. Tobocman moved that Rep. Wojno be excused from today’s session.
The motion prevailed.

Messages from the Senate

Senate Concurrent Resolution No. 25.

A concurrent resolution offered as a memorial for William B. Fitzgerald, Jr., former Senate Majority Leader and member of the House of Representatives.

Whereas, The members of the Michigan Legislature were saddened to learn of the untimely passing of former Senate Majority Leader William B. Fitzgerald, an individual known for his outstanding commitment to his constituents and true concern for the well-being of the people of the state of Michigan. His record of service stands as a testimony to his warmth of heart and dynamic leadership. Indeed, Bill Fitzgerald learned the value of public service at an early age, following in the footsteps of his father and uncle who also served in the Legislature. He heeded these lessons well, as he went on to earn the respect of his colleagues and the admiration of those both in and outside of state government; and

Whereas, William Fitzgerald was known for his hard work and tireless commitment to public policy. This was reflected throughout his entire career and in his service as a member of the Michigan Legislature. A graduate of Austin Catholic Preparatory School and Western Michigan University, Bill Fitzgerald worked his way through the Detroit College of Law in the evenings while teaching and coaching basketball at Detroit’s St. Martin High School. He was elected to the first of his two terms in the House in 1970. With his election to the Senate in 1974, he was selected to become the youngest Senate Majority Leader in state history. He was also honored as one of the “Ten Outstanding Legislators in America”; and

Whereas, The true measure of William Fitzgerald’s career as a policymaker was found in the depth and breadth of his many legislative accomplishments. These include, among others, post-Watergate ethics and campaign finance reforms, landmark environmental initiatives, the establishment of the state’s rainy day fund, and the statutory creation of a statewide minority and women business enterprise office. In these, and in all of his affairs, Bill Fitzgerald exemplified true strength of character and selfless concern for others. He will be missed; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That we hereby extend a unanimous accolade of tribute to the memory of William B. Fitzgerald, Jr., former Senate Majority Leader and member of the Michigan House of Representatives; and be it further

Resolved, That copies of this resolution be transmitted to his wife Margaret and their three children, William, John, and Meghan, as evidence of our deepest condolences.

The Senate has adopted the concurrent resolution.

The Speaker and the entire membership of the House of Representatives were named co-sponsors of the concurrent resolution.

The question being on the adoption of the concurrent resolution,

The resolution was adopted by unanimous standing vote.

The Speaker laid before the House

House Bill No. 4684, entitled

A bill to amend 1998 PA 58, entitled “Michigan liquor control code of 1998,” by amending sections 707, 801, 901, 906, 1015, and 1025 (MCL 436.1707, 436.1801, 436.1901, 436.1906, 436.2015, and 436.2025), section 906 as amended by 2000 PA 431 and section 1025 as amended by 2002 PA 725.

(The bill was received from the Senate on February 19, with substitute (S-4), title amendment and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 15, p. 238.)

The question being on concurring in the substitute (S-4) made to the bill by the Senate,

The substitute (S-4) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 66

Yeas—109

Accavitti	Dillon	Knollenberg	Pavlov
Acciavatti	Donigan	Lahti	Pearce
Agema	Ebli	LaJoy	Polidori
Amos	Elsenheimer	Law, David	Proos
Angerer	Emmons	Law, Kathleen	Robertson
Ball	Espinoza	LeBlanc	Rocca
Bauer	Farrah	Leland	Sak
Bennett	Gaffney	Lemmons	Schuitmaker
Bieda	Garfield	Lindberg	Scott
Booher	Gillard	Marleau	Shaffer
Brandenburg	Gonzales	Mayes	Sheen
Brown	Green	McDowell	Sheltrown
Byrnes	Griffin	Meadows	Simpson
Byrum	Hammel	Meekhof	Smith, Alma
Calley	Hammon	Meisner	Smith, Virgil
Casperson	Hansen	Melton	Spade
Caswell	Hildenbrand	Meltzer	Stahl
Caul	Hood	Miller	Stakoe
Cheeks	Hoogendyk	Moolenaar	Steil
Clack	Hopgood	Moore	Tobocman
Clemente	Horn	Moss	Vagnozzi
Condino	Huizenga	Nitz	Valentine
Constan	Hune	Nofs	Walker
Corriveau	Jackson	Opsommer	Ward
Coulouris	Johnson	Palmer	Warren
Cushingberry	Jones, Rick	Palsrok	Wenke
Dean	Jones, Robert	Pastor	Young
DeRoche			

Nays—0

In The Chair: Sak

The House agreed to the title as amended.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

Rep. Meekhof moved that Rep. Ward be excused temporarily from today’s session.

The motion prevailed.

The Speaker laid before the House

House Bill No. 5032, entitled

A bill to amend 2006 PA 110, entitled “Michigan zoning enabling act,” by amending sections 102, 103, 202, 208, 301, 401, 407, 601, 604, 606, and 702 (MCL 125.3102, 125.3103, 125.3202, 125.3208, 125.3301, 125.3401, 125.3407, 125.3601, 125.3604, 125.3606, and 125.3702).

(The bill was received from the Senate on February 19, with substitute (S-2), title amendment and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 15, p. 238.)

The question being on concurring in the substitute (S-2) made to the bill by the Senate,

The substitute (S-2) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 67

Yeas—108

Accavitti	DeRoche	Jones, Robert	Pastor
Acciavatti	Dillon	Knollenberg	Pavlov
Agema	Donigan	Lahti	Pearce
Amos	Ebli	LaJoy	Polidori
Angerer	Elsenheimer	Law, David	Proos
Ball	Emmons	Law, Kathleen	Robertson
Bauer	Espinoza	LeBlanc	Rocca
Bennett	Farrah	Leland	Sak
Bieda	Gaffney	Lemmons	Schuitmaker
Booher	Garfield	Lindberg	Scott
Brandenburg	Gillard	Marleau	Shaffer
Brown	Gonzales	Mayes	Sheen
Byrnes	Green	McDowell	Sheltrown
Byrum	Griffin	Meadows	Simpson
Calley	Hammel	Meekhof	Smith, Alma
Casperson	Hammon	Meisner	Smith, Virgil
Caswell	Hansen	Melton	Spade
Caul	Hildenbrand	Meltzer	Stahl
Cheeks	Hood	Miller	Stakoe
Clack	Hoogendyk	Moolenaar	Steil
Clemente	Hopgood	Moore	Tobocman
Condino	Horn	Moss	Vagnozzi
Constan	Huizenga	Nitz	Valentine
Corriveau	Hune	Nofs	Walker
Coulouris	Jackson	Opsommer	Warren
Cushingberry	Johnson	Palmer	Wenke
Dean	Jones, Rick	Palsrok	Young

Nays—0

In The Chair: Sak

The House agreed to the title as amended.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

The Speaker laid before the House

Senate Bill No. 155, entitled

A bill to amend 1927 PA 175, entitled “An act to revise, consolidate, and codify the laws relating to criminal procedure and to define the jurisdiction, powers, and duties of courts, judges, and other officers of the court under the provisions of this act; to provide laws relative to the rights of persons accused of criminal offenses and ordinance violations; to provide for the arrest of persons charged with or suspected of criminal offenses and ordinance violations; to provide for

bail of persons arrested for or accused of criminal offenses and ordinance violations; to provide for the examination of persons accused of criminal offenses; to regulate the procedure relative to grand juries, indictments, informations, and proceedings before trial; to provide for trials of persons complained of or indicted for criminal offenses and ordinance violations and to provide for the procedure in those trials; to provide for judgments and sentences of persons convicted of criminal offenses and ordinance violations; to establish a sentencing commission and to prescribe its powers and duties; to provide for procedure relating to new trials and appeals in criminal and ordinance violation cases; to provide a uniform system of probation throughout this state and the appointment of probation officers; to prescribe the powers, duties, and compensation of probation officers; to provide penalties for the violation of the duties of probation officers; to provide for procedure governing proceedings to prevent crime and proceedings for the discovery of crime; to provide for fees of officers, witnesses, and others in criminal and ordinance violation cases; to set forth miscellaneous provisions as to criminal procedure in certain cases; to provide penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act,” by amending section 15g of chapter XVII (MCL 777.15g), as amended by 2007 PA 220.

(The bill was received from the Senate on February 19, with an amendment to the House substitute (H-1) and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 15, p. 239.)

The question being on concurring in the amendment to the House substitute (H-1) made to the bill by the Senate,

The amendment was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 68

Yeas—109

Accavitti	Dillon	Knollenberg	Pavlov
Acciavatti	Donigan	Lahti	Pearce
Agema	Ebli	LaJoy	Polidori
Amos	Elsenheimer	Law, David	Proos
Angerer	Emmons	Law, Kathleen	Robertson
Ball	Espinoza	LeBlanc	Rocca
Bauer	Farrah	Leland	Sak
Bennett	Gaffney	Lemmons	Schuitmaker
Bieda	Garfield	Lindberg	Scott
Booher	Gillard	Marleau	Shaffer
Brandenburg	Gonzales	Mayes	Sheen
Brown	Green	McDowell	Sheltrown
Byrnes	Griffin	Meadows	Simpson
Byrum	Hammel	Meekhof	Smith, Alma
Calley	Hammon	Meisner	Smith, Virgil
Casperson	Hansen	Melton	Spade
Caswell	Hildenbrand	Meltzer	Stahl
Caul	Hood	Miller	Stakoe
Cheeks	Hoogendyk	Moolenaar	Steil
Clack	Hopgood	Moore	Tobocman
Clemente	Horn	Moss	Vagnozzi
Condino	Huizenga	Nitz	Valentine
Constan	Hune	Nofs	Walker
Corriveau	Jackson	Opsommer	Ward
Coulouris	Johnson	Palmer	Warren
Cushingberry	Jones, Rick	Palsrok	Wenke
Dean	Jones, Robert	Pastor	Young
DeRoche			

Nays—0

Second Reading of Bills

Senate Bill No. 630, entitled

A bill to amend 2001 PA 142, entitled “Michigan memorial highway act,” (MCL 250.1001 to 250.2080) by adding section 93.

The bill was read a second time.

Rep. Tobocman moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Tobocman moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 630, entitled

A bill to amend 2001 PA 142, entitled “Michigan memorial highway act,” (MCL 250.1001 to 250.2080) by adding section 93.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 69

Yeas—109

Accavitti	Dillon	Knollenberg	Pavlov
Acciavatti	Donigan	Lahti	Pearce
Agema	Ebli	LaJoy	Polidori
Amos	Elsenheimer	Law, David	Proos
Angerer	Emmons	Law, Kathleen	Robertson
Ball	Espinoza	LeBlanc	Rocca
Bauer	Farrah	Leland	Sak
Bennett	Gaffney	Lemmons	Schuitmaker
Bieda	Garfield	Lindberg	Scott
Booher	Gillard	Marleau	Shaffer
Brandenburg	Gonzales	Mayes	Sheen
Brown	Green	McDowell	Sheltrown
Byrnes	Griffin	Meadows	Simpson
Byrum	Hammel	Meekhof	Smith, Alma
Calley	Hammon	Meisner	Smith, Virgil
Casperson	Hansen	Melton	Spade
Caswell	Hildenbrand	Meltzer	Stahl
Caul	Hood	Miller	Stakoe
Cheeks	Hoogendyk	Moolenaar	Steil
Clack	Hopgood	Moore	Tobocman
Clemente	Horn	Moss	Vagnozzi
Condino	Huizenga	Nitz	Valentine
Constan	Hune	Nofs	Walker
Corriveau	Jackson	Opsommer	Ward
Coulouris	Johnson	Palmer	Warren
Cushingberry	Jones, Rick	Palsrok	Wenke
Dean	Jones, Robert	Pastor	Young
DeRoche			

Nays—0

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to consolidate prior acts naming certain Michigan highways; to provide for the naming of certain highways; to prescribe certain duties of the state transportation department; and to repeal acts and parts of acts and certain resolutions,”
The House agreed to the full title.

Rep. Tobocman moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

Second Reading of Bills

Senate Bill No. 682, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 1301, 8302, 8303, 8310, 8317, 8325, and 8715 (MCL 324.1301, 324.8302, 324.8303, 324.8310, 324.8317, 324.8325, and 324.8715), section 1301 as amended by 2004 PA 381, section 8302 as amended by 2002 PA 418, section 8303 as amended by 2004 PA 24, section 8310 as amended by 2004 PA 325, section 8317 as amended by 2007 PA 78, and section 8715 as amended by 2000 PA 100, and by adding section 8310a.

The bill was read a second time.

Rep. Tobocman moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Tobocman moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 682, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 1301, 8302, 8303, 8310, 8317, 8325, and 8715 (MCL 324.1301, 324.8302, 324.8303, 324.8310, 324.8317, 324.8325, and 324.8715), section 1301 as amended by 2004 PA 381, section 8302 as amended by 2002 PA 418, section 8303 as amended by 2004 PA 24, section 8310 as amended by 2004 PA 325, section 8317 as amended by 2007 PA 78, and section 8715 as amended by 2000 PA 100, and by adding section 8310a.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 70

Yeas—95

Accavitti	Dean	Lahti	Polidori
Acciavatti	Dillon	LaJoy	Proos
Amos	Donigan	Law, David	Rocca
Angerer	Ebli	Law, Kathleen	Sak
Ball	Emmons	LeBlanc	Schuitmaker
Bauer	Espinoza	Leland	Scott
Bennett	Farrah	Lemmons	Shaffer
Bieda	Gaffney	Lindberg	Sheltrown
Booher	Gillard	Marleau	Simpson
Brandenburg	Gonzales	Mayes	Smith, Alma
Brown	Green	McDowell	Smith, Virgil
Byrnes	Griffin	Meadows	Spade
Byrum	Hammel	Meekhof	Stahl
Calley	Hammon	Meisner	Stakoe
Casperson	Hansen	Melton	Steil
Caul	Hildenbrand	Miller	Tobocman
Cheeks	Hood	Moore	Vagnozzi
Clack	Hopgood	Moss	Valentine
Clemente	Horn	Nitz	Walker
Condino	Huizenga	Nofs	Ward

Constan
Corriveau
Coulouris
Cushingberry

Jackson
Johnson
Jones, Rick
Jones, Robert

Palsrok
Pastor
Pavlov
Pearce

Warren
Wenke
Young

Nays—14

Agema
Caswell
DeRoche
Elsenheimer

Garfield
Hoogendyk
Hune
Knollenberg

Meltzer
Moolenaar
Opsommer

Palmer
Robertson
Sheen

In The Chair: Sak

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts,”

The House agreed to the full title.

Rep. Tobocman moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

Second Reading of Bills

House Bill No. 4525, entitled

A bill to amend 1972 PA 222, entitled “An act to provide for an official personal identification card; to provide for its form, issuance and use; to regulate the use and disclosure of information obtained from the card; to prescribe the powers and duties of the secretary of state; to prescribe fees; to prescribe certain penalties for violations; and to provide an appropriation for certain purposes,” by amending section 1 (MCL 28.291), as amended by 2005 PA 143.

Was read a second time, and the question being on the adoption of the proposed amendments previously recommended by the Committee on Judiciary (for amendments, see House Journal No. 11, p. 137),

The amendments were adopted, a majority of the members serving voting therefor.

Rep. Condino moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Tobocman moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 4525, entitled

A bill to amend 1972 PA 222, entitled “An act to provide for an official personal identification card; to provide for its form, issuance and use; to regulate the use and disclosure of information obtained from the card; to prescribe the powers and duties of the secretary of state; to prescribe fees; to prescribe certain penalties for violations; and to provide an appropriation for certain purposes,” by amending section 1 (MCL 28.291), as amended by 2005 PA 143.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 71

Yeas—102

Accavitti
Acciavatti

DeRoche
Dillon

Jones, Robert
Knollenberg

Pearce
Polidori

Amos	Donigan	Lahti	Proos
Angerer	Ebli	LaJoy	Robertson
Ball	Elsenheimer	Law, David	Sak
Bauer	Emmons	Law, Kathleen	Schuitmaker
Bennett	Espinoza	LeBlanc	Scott
Bieda	Farrah	Leland	Shaffer
Booher	Gaffney	Lemmons	Sheen
Brandenburg	Gillard	Lindberg	Sheltrown
Brown	Gonzales	Marleau	Simpson
Byrnes	Green	Mayes	Smith, Alma
Byrum	Griffin	McDowell	Smith, Virgil
Calley	Hammel	Meadows	Spade
Casperson	Hammon	Meekhof	Stahl
Caswell	Hansen	Meisner	Stakoe
Caul	Hildenbrand	Melton	Steil
Cheeks	Hood	Miller	Tobocman
Clack	Hoogendyk	Moolenaar	Vagnozzi
Clemente	Hopgood	Moore	Valentine
Condino	Horn	Moss	Walker
Constan	Huizenga	Nitz	Ward
Corriveau	Hune	Nofs	Warren
Coulouris	Jackson	Palsrok	Wenke
Cushingberry	Johnson	Pavlov	Young
Dean	Jones, Rick		

Nays—7

Agema	Meltzer	Palmer	Rocca
Garfield	Opsommer	Pastor	

In The Chair: Sak

The House agreed to the title of the bill.

Rep. Tobocman moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

Second Reading of Bills

House Bill No. 4526, entitled

A bill to amend 1953 PA 232, entitled “Corrections code of 1953,” (MCL 791.201 to 791.285) by adding section 37a.

Was read a second time, and the question being on the adoption of the proposed amendments previously recommended by the Committee on Judiciary (for amendments, see House Journal No. 11, p. 137),

The amendments were adopted, a majority of the members serving voting therefor.

Rep. Meadows moved to amend the bill as follows:

1. Amend page 1, line 5, after “**CARD**” by inserting “**OR SIMILAR ELECTRONIC FUNDS TRANSFER CARD**”.

The motion prevailed and the amendment was adopted, a majority of the members serving voting therefor.

Rep. Meadows moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

House Bill No. 4527, entitled

A bill to amend 1953 PA 232, entitled “Corrections code of 1953,” by amending sections 35, 37, and 67 (MCL 791.235, 791.237, and 791.267), section 35 as amended by 1998 PA 315, section 37 as amended by 1994 PA 217, and section 67 as amended by 1996 PA 565, and by adding section 34b.

Was read a second time, and the question being on the adoption of the proposed substitute (H-2) previously recommended by the Committee on Judiciary,

The substitute (H-2) was adopted, a majority of the members serving voting therefor.

Rep. Condino moved to amend the bill as follows:

1. Amend page 2, line 4, after “**ANY**” by striking out “**2**”.
2. Amend page 9, line 22, after “**OTHER**” by striking out “**PRIMARY SOURCE**”.

The motion prevailed and the amendments were adopted, a majority of the members serving voting therefor.

Rep. Hoogendyk moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Tobocman moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 4527, entitled

A bill to amend 1953 PA 232, entitled “Corrections code of 1953,” by amending sections 35, 37, and 67 (MCL 791.235, 791.237, and 791.267), section 35 as amended by 1998 PA 315, section 37 as amended by 1994 PA 217, and section 67 as amended by 1996 PA 565, and by adding section 34b.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 72

Yeas—103

Accavitti	DeRoche	Jones, Robert	Pearce
Acciavatti	Dillon	Knollenberg	Polidori
Agema	Donigan	Lahti	Proos
Amos	Ebli	LaJoy	Rocca
Angerer	Elsenheimer	Law, David	Sak
Ball	Emmons	Law, Kathleen	Schuitmaker
Bauer	Espinoza	LeBlanc	Scott
Bennett	Farrah	Leland	Shaffer
Bieda	Gaffney	Lemmons	Sheen
Booher	Garfield	Lindberg	Sheltrown
Brandenburg	Gillard	Marleau	Simpson
Brown	Gonzales	Mayes	Smith, Alma
Byrnes	Green	McDowell	Smith, Virgil
Byrum	Griffin	Meadows	Spade
Casperson	Hammel	Meekhof	Stahl
Caswell	Hammon	Meisner	Stakoe
Caul	Hansen	Melton	Steil
Cheeks	Hildenbrand	Meltzer	Tobocman
Clack	Hood	Miller	Vagnozzi
Clemente	Hoogendyk	Moolenaar	Valentine
Condino	Hopgood	Moore	Walker
Constan	Horn	Moss	Ward
Corriveau	Huizenga	Nitz	Warren
Coulouris	Jackson	Nofs	Wenke
Cushingberry	Johnson	Palsrok	Young
Dean	Jones, Rick	Pavlov	

Nays—6

Calley	Opsommer	Pastor	Robertson
Hune	Palmer		

In The Chair: Sak

The House agreed to the title of the bill.

Rep. Tobocman moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

Rep. Tobocman moved that **House Bill No. 4526** be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

House Bill No. 4526, entitled

A bill to amend 1953 PA 232, entitled "Corrections code of 1953," (MCL 791.201 to 791.285) by adding section 37a.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 73

Yeas—84

Accavitti	Dean	Jones, Rick	Pavlov
Acciavatti	DeRoche	Jones, Robert	Polidori
Amos	Dillon	Lahti	Proos
Angerer	Donigan	LaJoy	Sak
Ball	Ebli	Law, David	Scott
Bauer	Emmons	Law, Kathleen	Shaffer
Bennett	Espinoza	LeBlanc	Sheltrown
Bieda	Farrah	Leland	Simpson
Brown	Gaffney	Lemmons	Smith, Alma
Byrnes	Garfield	Lindberg	Smith, Virgil
Byrum	Gillard	Marleau	Spade
Casperson	Gonzales	Mayes	Stahl
Caul	Griffin	McDowell	Stakoe
Cheeks	Hammel	Meadows	Tobocman
Clack	Hammon	Meisner	Vagnozzi
Clemente	Hansen	Melton	Valentine
Condino	Hood	Miller	Walker
Constan	Hoogendyk	Nitz	Ward
Corriveau	Hopgood	Nofs	Warren
Coulouris	Jackson	Opsommer	Wenke
Cushingberry	Johnson	Palsrok	Young

Nays—25

Agema	Hildenbrand	Meltzer	Pearce
Booher	Horn	Moolenaar	Robertson
Brandenburg	Huizenga	Moore	Rocca
Calley	Hune	Moss	Schuitmaker
Caswell	Knollenberg	Palmer	Sheen
Elsenheimer	Meekhof	Pastor	Steil
Green			

In The Chair: Sak

The House agreed to the title of the bill.

Rep. Tobocman moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

Second Reading of Bills

House Bill No. 4528, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 307 (MCL 257.307), as amended by 2006 PA 298.

Was read a second time, and the question being on the adoption of the proposed amendments previously recommended by the Committee on Judiciary (for amendments, see House Journal No. 11, p. 138),

The amendments were adopted, a majority of the members serving voting therefor.

Rep. Robert Jones moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Tobocman moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 4528, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 307 (MCL 257.307), as amended by 2006 PA 298.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 74

Yeas—95

Accavitti	Donigan	Lahti	Polidori
Acciavatti	Ebli	LaJoy	Proos
Amos	Elsenheimer	Law, David	Sak
Angerer	Espinoza	Law, Kathleen	Schuitmaker
Ball	Farrah	LeBlanc	Scott
Bauer	Gaffney	Leland	Shaffer
Bennett	Gillard	Lemmons	Sheen
Bieda	Gonzales	Lindberg	Sheltrown
Brown	Griffin	Marleau	Simpson
Byrnes	Hammel	Mayes	Smith, Alma
Byrum	Hammon	McDowell	Smith, Virgil
Casperson	Hansen	Meadows	Spade
Caswell	Hildenbrand	Meekhof	Stahl
Caul	Hood	Meisner	Stakoe
Cheeks	Hoogendyk	Melton	Steil
Clack	Hopgood	Miller	Tobocman
Clemente	Horn	Moolenaar	Vagnozzi
Condino	Huizenga	Moore	Valentine
Constan	Hune	Moss	Walker
Corriveau	Jackson	Nitz	Ward
Coulouris	Johnson	Nofs	Warren
Cushingberry	Jones, Rick	Palsrok	Wenke
Dean	Jones, Robert	Pavlov	Young
Dillon	Knollenberg	Pearce	

Nays—14

Agema	DeRoche	Meltzer	Pastor
Booher	Emmons	Opsommer	Robertson
Brandenburg	Garfield	Palmer	Rocca
Calley	Green		

In The Chair: Sak

The House agreed to the title of the bill.

Rep. Tobocman moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

Second Reading of Bills

House Bill No. 5568, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 14 of chapter XI (MCL 771.14), as amended by 2000 PA 279.

Was read a second time, and the question being on the adoption of the proposed substitute (H-1) previously recommended by the Committee on Judiciary,

The substitute (H-1) was adopted, a majority of the members serving voting therefor.

Rep. Schuitmaker moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Tobocman moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 5568, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 14 of chapter XI (MCL 771.14), as amended by 2000 PA 279.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 75

Yeas—101

Accavitti	Dillon	Knollenberg	Pavlov
Acciavatti	Donigan	Lahti	Pearce
Agema	Ebli	LaJoy	Polidori
Amos	Elsenheimer	Law, David	Proos
Angerer	Emmons	Law, Kathleen	Rocca
Ball	Espinoza	LeBlanc	Sak
Bauer	Farrah	Leland	Schuitmaker
Bennett	Gaffney	Lemmons	Scott
Bieda	Gillard	Lindberg	Shaffer
Booher	Gonzales	Marleau	Sheen
Brown	Green	Mayes	Sheltrown
Byrnes	Griffin	McDowell	Simpson
Byrum	Hammel	Meadows	Smith, Alma
Calley	Hammon	Meekhof	Smith, Virgil
Casperson	Hansen	Meisner	Spade
Caul	Hildenbrand	Melton	Stahl
Cheeks	Hood	Meltzer	Stakoe
Clack	Hoogendyk	Miller	Tobocman
Clemente	Hopgood	Moolenaar	Vagnozzi
Condino	Horn	Moore	Valentine
Constan	Huizenga	Moss	Walker
Corriveau	Jackson	Nitz	Ward
Coulouris	Johnson	Nofs	Warren
Cushingberry	Jones, Rick	Palmer	Wenke
Dean	Jones, Robert	Palsrok	Young
DeRoche			

Nays—8

Brandenburg
Caswell

Garfield
Hune

Opsommer
Pastor

Robertson
Steil

In The Chair: Sak

The House agreed to the title of the bill.
Rep. Tobocman moved that the bill be given immediate effect.
The motion prevailed, 2/3 of the members serving voting therefor.

The Speaker Pro Tempore called Associate Speaker Pro Tempore Byrnes to the Chair.

Second Reading of Bills**House Bill No. 5600, entitled**

A bill to amend 1996 PA 376, entitled “Michigan renaissance zone act,” by amending section 4 (MCL 125.2684), as amended by 2006 PA 440.

Was read a second time, and the question being on the adoption of the proposed substitute (H-3) previously recommended by the Committee on Commerce,

The substitute (H-3) was adopted, a majority of the members serving voting therefor.

Rep. Sak moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Tobocman moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of

Third Reading of Bills**House Bill No. 5600, entitled**

A bill to amend 1996 PA 376, entitled “Michigan renaissance zone act,” by amending section 4 (MCL 125.2684), as amended by 2006 PA 440.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 76**Yeas—106**

Accavitti
Acciavatti
Agema
Amos
Angerer
Ball
Bauer
Bennett
Bieda
Booher
Brandenburg
Brown
Byrnes
Byrum

DeRoche
Dillon
Donigan
Ebli
Elsenheimer
Emmons
Espinoza
Farrah
Gaffney
Gillard
Gonzales
Green
Griffin
Hammel

Knollenberg
Lahti
LaJoy
Law, David
Law, Kathleen
LeBlanc
Leland
Lemmons
Lindberg
Marleau
Mayes
McDowell
Meadows
Meekhof

Pavlov
Pearce
Polidori
Proos
Robertson
Rocca
Sak
Schuitmaker
Scott
Shaffer
Sheltrown
Simpson
Smith, Alma
Smith, Virgil

Calley	Hammon	Meisner	Spade
Casperson	Hansen	Melton	Stahl
Caswell	Hildenbrand	Meltzer	Stakoe
Caul	Hood	Miller	Steil
Cheeks	Hoogendyk	Moolenaar	Tobocman
Clack	Hopgood	Moore	Vagnozzi
Clemente	Horn	Moss	Valentine
Condino	Huizenga	Nitz	Walker
Constan	Hune	Nofs	Ward
Corriveau	Jackson	Opsommer	Warren
Coulouris	Johnson	Palmer	Wenke
Cushingberry	Jones, Rick	Pastor	Young
Dean	Jones, Robert		

Nays—3

Garfield	Palsrok	Sheen
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In The Chair: Byrnes

The question being on agreeing to the title of the bill,

Rep. Tobocman moved to amend the title to read as follows:

A bill to amend 1996 PA 376, entitled “Michigan renaissance zone act,” by amending sections 3, 4, 8a, 8d, 8e, and 10 (MCL 125.2683, 125.2684, 125.2688a, 125.2688d, 125.2688e, and 125.2690), section 3 as amended by 2006 PA 304, section 4 as amended by 2006 PA 440, section 8a as amended by 2006 PA 476, section 8d as amended by 2006 PA 93, section 8e as added by 2006 PA 270, and section 10 as amended by 2007 PA 186.

The motion prevailed.

The House agreed to the title as amended.

Rep. Tobocman moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

By unanimous consent the House returned to the order of

Reports of Standing Committees

The Committee on Military and Veterans Affairs and Homeland Security, by Rep. Polidori, Chair, reported

Senate Bill No. 750, entitled

A bill to amend 1897 PA 205, entitled “An act to prefer honorably discharged members of the armed forces of the United States for public employments,” by amending section 1 (MCL 35.401).

Without amendment and with the recommendation that the bill pass.

The bill was referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. Polidori, Brown, Dean, Lemmons, Sheltroun, Garfield, Pastor and Horn

Nays: None

Second Reading of Bills

Senate Bill No. 750, entitled

A bill to amend 1897 PA 205, entitled “An act to prefer honorably discharged members of the armed forces of the United States for public employments,” by amending section 1 (MCL 35.401).

The bill was read a second time.

Rep. Tobocman moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Tobocman moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 750, entitled

A bill to amend 1897 PA 205, entitled “An act to prefer honorably discharged members of the armed forces of the United States for public employments,” by amending section 1 (MCL 35.401).

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 77

Yeas—109

Accavitti	Dillon	Knollenberg	Pavlov
Acciavatti	Donigan	Lahti	Pearce
Agema	Ebli	LaJoy	Polidori
Amos	Elsenheimer	Law, David	Proos
Angerer	Emmons	Law, Kathleen	Robertson
Ball	Espinoza	LeBlanc	Rocca
Bauer	Farrah	Leland	Sak
Bennett	Gaffney	Lemmons	Schuitmaker
Bieda	Garfield	Lindberg	Scott
Booher	Gillard	Marleau	Shaffer
Brandenburg	Gonzales	Mayes	Sheen
Brown	Green	McDowell	Sheltrown
Byrnes	Griffin	Meadows	Simpson
Byrum	Hammel	Meekhof	Smith, Alma
Calley	Hammon	Meisner	Smith, Virgil
Casperson	Hansen	Melton	Spade
Caswell	Hildenbrand	Meltzer	Stahl
Caul	Hood	Miller	Stakoe
Cheeks	Hoogendyk	Moolenaar	Steil
Clack	Hopgood	Moore	Tobocman
Clemente	Horn	Moss	Vagnozzi
Condino	Huizenga	Nitz	Valentine
Constan	Hune	Nofs	Walker
Corriveau	Jackson	Opsommer	Ward
Coulouris	Johnson	Palmer	Warren
Cushingberry	Jones, Rick	Palsrok	Wenke
Dean	Jones, Robert	Pastor	Young
DeRoche			

Nays—0

In The Chair: Byrnes

The House agreed to the title of the bill.

Rep. Tobocman moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

By unanimous consent the House returned to the order of

Messages from the Senate

House Bill No. 5034, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 8501 (MCL 324.8501), as amended by 2006 PA 503.

The Senate has substituted (S-1) the bill.

The Senate has passed the bill as substituted (S-1), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The Speaker announced that pursuant to Rule 42, the bill was laid over one day.

Rep. Tobocman moved that Rule 42 be suspended.

The motion prevailed, 3/5 of the members present voting therefor.

The question being on concurring in the (S-1) made to the bill by the Senate,

The substitute (S-1) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 78

Yeas—104

Accavitti	Dean	Johnson	Palsrok
Acciavatti	DeRoche	Jones, Rick	Pastor
Agema	Dillon	Jones, Robert	Pavlov
Amos	Donigan	Knollenberg	Pearce
Angerer	Ebli	Lahti	Polidori
Ball	Elsenheimer	LaJoy	Proos
Bauer	Emmons	Law, Kathleen	Robertson
Bennett	Espinoza	LeBlanc	Rocca
Bieda	Farrah	Leland	Sak
Booher	Gaffney	Lemmons	Schuitmaker
Brandenburg	Garfield	Lindberg	Scott
Brown	Gillard	Marleau	Shaffer
Byrnes	Gonzales	Mayes	Sheen
Byrum	Green	McDowell	Sheltrown
Calley	Griffin	Meekhof	Simpson
Casperson	Hammel	Meisner	Smith, Virgil
Caswell	Hammon	Melton	Spade
Caul	Hansen	Meltzer	Stahl
Cheeks	Hildenbrand	Miller	Stakoe
Clack	Hood	Moolenaar	Steil
Clemente	Hoogendyk	Moore	Tobocman
Condino	Hopgood	Moss	Valentine
Constan	Horn	Nitz	Walker
Corriveau	Huizenga	Nofs	Ward
Coulouris	Hune	Opsommer	Wenke
Cushingberry	Jackson	Palmer	Young

Nays—5

Law, David	Smith, Alma	Vagnozzi	Warren
Meadows			

In The Chair: Byrnes

The House agreed to the full title.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

The Senate requested the return of

House Bill No. 5021, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 708b (MCL 257.708b), as amended by 2004 PA 362.

(The bill was received from the Senate on February 19, with an amendment, full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 15, p. 238.)

The question being on concurring in the amendment made to the bill by the Senate,

Rep. Tobocman moved that the request of the Senate be granted.

The motion prevailed.

Rep. Tobocman moved that House Committees be given leave to meet during the balance of today's session.

The motion prevailed.

By unanimous consent the House returned to the order of

Motions and Resolutions

Reps. Sheltroun, Rick Jones, Simpson, Opsommer, Stahl, Spade, Moolenaar, Polidori, Miller, Rocca, Mayes, Nitz, Emmons, Hammon, Agema, Angerer, Booher, Casperson, Clack, Constan, Cushingberry, Dean, Garfield, Gonzales, Hansen, Johnson, LaJoy, LeBlanc, Lemmons, Marleau, McDowell, Meltzer, Moore, Palmer, Palsrok, Pastor, Proos, Steil and Walker offered the following resolution:

House Resolution No. 277.

A resolution to express Michigan's support for the right to bear arms prescribed by the Second Amendment of the United States Constitution and to encourage the United States Supreme Court to rule that any infringement on this right should be subject to the highest level of constitutional scrutiny.

Whereas, The Second Amendment does not simply provide for a collective right or a right for the states to establish militias, rather, it provides for an individual right to bear arms. The primary purpose of this individual right to bear arms is to protect one's self, family, and possessions from either the private lawlessness of other persons or the tyranny of government. Secondly, this right is also meant to protect the general private uses of firearms in activities such as hunting and other sporting activities; and

Whereas, In the recent federal court case *Shelly Parker, et al. v. District of Columbia*, the United States Court of Appeals for the District of Columbia Circuit struck down a firearm ban for reasons based on the Second Amendment and explicitly ruled that this amendment protected an individual right to possess firearms for private use. The Supreme Court of the United States has agreed to hear this case and now has the opportunity to definitively assert the existence of an individual right to bear arms and to apply strict scrutiny to legislation that would infringe upon this right; and

Whereas, The Supreme Court has the opportunity not only to establish sound constitutional principles but also promote positive public policy. Studies demonstrate that firearms in the hands of law-abiding citizens deters criminals and reduces the crime rate. Firearms can also encourage recreational and sporting activities. Finally, an armed citizenry can not only serve to restrict a tyrannical government at home but also prevent invasion from abroad; now, therefore, be it

Resolved by the House of Representatives, That we express Michigan's support for the right to bear arms prescribed by the Second Amendment of the United States Constitution and to encourage the United States Supreme Court to rule that any infringement on this right should be subject to the highest level of constitutional scrutiny; and be it further

Resolved, That copies of this resolution be transmitted to the members of the United States Supreme Court, the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

The resolution was referred to the Committee on Judiciary.

Reps. Bauer, Accavitti, Clack, Condino, Constan, Cushingberry, Dean, Gonzales, Hammon, Hood, Johnson, LeBlanc, Leland, Lemmons, Marleau, Mayes, McDowell, Meadows, Miller, Pastor, Polidori, Sak, Tobocman, Vagnozzi, Valentine and Warren offered the following resolution:

House Resolution No. 278.

A resolution to memorialize the Congress of the United States to allocate funding to the states for mortgage counseling services to reduce rates of housing foreclosures.

Whereas, The ongoing housing slump and the subprime mortgage crisis are exacting a significant toll on the economy of our nation and communities of all sizes and locations. Michigan has been especially hard hit, with foreclosure rates among the highest in the country. For the individual families facing the nightmare of foreclosure, of course, this situation represents a crushing blow to their financial stability and prospects for the future; and

Whereas, While there are many factors that have contributed to the alarming increase in foreclosure rates and the upheaval in the housing and mortgage market, a contributing element of this situation is the level of confusion among consumers on some of the loans. In addition to an acknowledged level of financial illiteracy among consumers that must be addressed, the market created a dizzying array of products and choices. The complexity of these tools and the aggressive marketing of them at times demonstrate a strong need for mortgage counseling; and

Whereas, There are efforts underway in our nation's capital to direct funds to programs to provide mortgage counseling services as an important step to reduce rates of foreclosure. The harmful impact of the spreading foreclosure crisis shows the great need for such counseling services. Clearly, mortgage counseling services at the local level can play a role in strengthening our communities in the long run; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States to allocate funding to the states for mortgage counseling services to reduce rates of housing foreclosures; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

The resolution was referred to the Committee on Banking and Financial Services.

Reps. Lemmons, Clack, Cushingberry, Dean, Johnson, Miller, Vagnozzi and Valentine offered the following resolution:
House Resolution No. 279.

A resolution to memorialize the United States Congress to enact legislation to prohibit paperless ballots.

Whereas, Electronic voting machines have been widely used in polling places across the country in response to the Florida hanging-chad debacle in 2000. During the 2008 presidential primaries, it is estimated that about one third of all votes will be cast on touch-screen electronic voting machines. Questions have been raised about the security, reliability, and accessibility of these machines. Electronic voting machines are not auditable unless they allow for a voter-verified paper audit trail; and

Whereas, All computerized voting systems carry risks. Complex software programs are prone to malfunctions and crashes. It is estimated that about ten percent of electronic voting machines "fail" unpredictably in each election, sometimes resulting in unreliable, ambiguous results. The biggest casualty of flawed elections is public trust in the system; and

Whereas, Voting and the political process are the lifeblood of our national democracy. The voting system should be accurate, reliable, secure, and capable of being audited. It should instill public confidence that votes are counted as intended. While it is impossible to secure electronic voting machines against all possible risks, it is essential that paper back-up systems be in place where electronic voting machines are used. Voter-verified paper ballots should be the final authority in cases of recounts, challenges, random manual audits, equipment malfunctions, and suspect polling places; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the United States Congress to enact legislation to prohibit paperless ballots; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and members of the Michigan congressional delegation.

The resolution was referred to the Committee on Ethics and Elections.

Reps. Lemmons, Clack, Cushingberry, Hammon, Johnson and Vagnozzi offered the following resolution:

House Resolution No. 280.

A resolution to memorialize the Congress and the President of the United States to support the humanitarian effort, being led by Venezuelan President Chavez at the behest of the families, to free three kidnapped Americans, Marc Gonsalves, Thomas Howes, and Keith Stansell, captured in Colombia.

Whereas, The stability of South America is vital to the safety of our hemisphere. Marc Gonsalves, Thomas Howes, and Keith Stansell, three kidnapped United States citizens, are being held against their will. Their families have asked Venezuela to intercede via humanitarian effort; and

Whereas, In May 2004, the UN announced that Colombia's 39-year-long drug war had created the worst humanitarian crisis in the Western Hemisphere. More than 2 million people in Colombia have been forced to leave their homes and several Indian tribes are close to extinction. Colombia now houses the third-largest displaced population in the world, with hundreds of thousands of Colombians from both sides of the internal conflict having been killed. As a result, Colombia's internal civil conflict threatens and destabilizes the 5 surrounding countries, compounding economic and social strife through rampant immigration and military fallout throughout the region; and

Whereas, Sporadic peace talks and efforts by the Colombian governments and the various paramilitary and rebel groups throughout the decades have been fruitless. Peace is fundamental for the social and economic development of the people of Latin America and the world, and for peace to be achieved in the region, the proactive cooperation between South and Central American nations is essential. The families of the persons taken captive in the Colombian internal conflict, accompanied by Senator Piedad Cordoba of Colombia, have officially requested the participation of the Bolivarian Republic of Venezuela and President Hugo Chavez to mediate in the negotiations between the armed organizations FARC and the ELN and the government of Colombia; and

Whereas, After the expressed approval and support of president Alvaro Uribe of Colombia, Venezuela accepted the crucial role in this humanitarian and historic mission. This effort has also met with the support of President Sarkozy of France, President Lula of Brazil, and the Non-Aligned Nations Movement; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress and the President of the United States to actively support through all legal and diplomatic means available this humanitarian endeavor that will also help attain the freedom of three U.S. citizens, Keith Donald Stansell, Marc David Gonsalves, and Thomas R. Howes. We express our support of Venezuela's humanitarian endeavor, independent of national biases, whereby Colombian and United States citizens, brothers and sisters in captivity, may be able to gain their freedom and return to their loved ones thanks to Venezuela's valuable mediation; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

The resolution was referred to the Committee on Government Operations.

Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bills and joint resolution had been printed and placed upon the files of the members on Wednesday, February 20:

House Bill Nos.	5754	5755	5756	5757	5758	5759	5760	5761	5762	5763	5764	5765	5766	5767
	5768	5769	5770	5771	5772									
House Joint Resolution	QQ													
Senate Bill Nos.	1119	1120	1121	1122	1123	1124	1125	1126	1127	1128	1129	1130	1131	1132
	1134													

The Clerk announced that the following Senate bills had been received on Wednesday, February 20:

Senate Bill Nos.	364	471	843	1118
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Reports of Standing Committees

The Committee on Energy and Technology, by Rep. Accavitti, Chair, reported

House Bill No. 5048, entitled

A bill to amend 2006 PA 480, entitled "Uniform video services local franchise act," by amending section 10 (MCL 484.3310).

Without amendment and with the recommendation that the bill pass.

The bill was referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. Accavitti, Mayes, Angerer, Brown, Clemente, Ebli, Hammon, Hopgood, Lemmons, Lindberg, Melton, Miller, Nofs, Garfield, Huizenga, Moolenaar, Horn and Opsommer

Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Accavitti, Chair, of the Committee on Energy and Technology, was received and read:

Meeting held on: Wednesday, February 20, 2008

Present: Reps. Accavitti, Mayes, Angerer, Brown, Clemente, Ebli, Hammon, Hopgood, Lemmons, Lindberg, Melton, Miller, Nofs, Garfield, Huizenga, Moolenaar, Horn and Opsommer

Absent: Rep. Palsrok
Excused: Rep. Palsrok

The Committee on Judiciary, by Rep. Condino, Chair, reported

House Bill No. 4914, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 462j. Without amendment and with the recommendation that the bill pass.

The bill was referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. Condino, Coulouris, Bieda, Corriveau, Meadows, Meisner, Scott, Virgil Smith, Warren, David Law, Stakoe, Rick Jones and Rocca

Nays: None

The Committee on Judiciary, by Rep. Condino, Chair, reported

House Bill No. 4915, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16w of chapter XVII (MCL 777.16w), as amended by 2006 PA 156.

Without amendment and with the recommendation that the bill pass.

The bill was referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. Condino, Coulouris, Bieda, Corriveau, Meadows, Meisner, Scott, Virgil Smith, Warren, Schuitmaker, David Law, Elsenheimer, Stakoe, Rick Jones and Rocca

Nays: None

The Committee on Judiciary, by Rep. Condino, Chair, reported

House Bill No. 4916, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 159g (MCL 750.159g), as amended by 2002 PA 124.

With the recommendation that the following amendment be adopted and that the bill then pass.

1. Amend page 4, line 8, after "TO" by striking out "**750.462I, AND SECTION 411U**" and inserting "**750.462J**".

The bill and amendment were referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. Condino, Coulouris, Bieda, Corriveau, Meadows, Meisner, Scott, Virgil Smith, Warren, Schuitmaker, David Law, Elsenheimer, Stakoe, Rick Jones and Rocca

Nays: None

The Committee on Judiciary, by Rep. Condino, Chair, reported

House Bill No. 4917, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 4701 (MCL 600.4701), as amended by 2002 PA 142.

With the recommendation that the substitute (H-2) be adopted and that the bill then pass.

The bill and substitute were referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. Condino, Coulouris, Bieda, Corriveau, Meadows, Meisner, Scott, Virgil Smith, Warren, Schuitmaker, David Law, Elsenheimer, Stakoe, Rick Jones and Rocca

Nays: None

The Committee on Judiciary, by Rep. Condino, Chair, reported

House Bill No. 4918, entitled

A bill to amend 1985 PA 87, entitled "William Van Regenmorter crime victim's rights act," (MCL 780.751 to 780.834) by adding section 16b.

Without amendment and with the recommendation that the bill pass.

The bill was referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. Condino, Coulouris, Bieda, Corriveau, Meadows, Meisner, Scott, Virgil Smith, Warren, David Law, Stakoe, Rick Jones and Rocca

Nays: None

The Committee on Judiciary, by Rep. Condino, Chair, reported

Senate Bill No. 667, entitled

A bill to amend 1846 RS 83, entitled "Of marriage and the solemnization thereof," by amending section 7 (MCL 551.7), as amended by 2006 PA 613.

Without amendment and with the recommendation that the bill pass.

The bill was referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. Condino, Corriveau, Meadows, Meisner, Scott, Warren, Schuitmaker, David Law, Stakoe, Rick Jones and Rocca

Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Condino, Chair, of the Committee on Judiciary, was received and read:

Meeting held on: Wednesday, February 20, 2008

Present: Reps. Condino, Coulouris, Bieda, Corriveau, Meadows, Meisner, Scott, Virgil Smith, Warren, Schuitmaker, David Law, Elsenheimer, Stakoe, Rick Jones and Rocca

The Committee on Intergovernmental, Urban and Regional Affairs, by Rep. Byrum, Chair, reported

House Bill No. 5589, entitled

A bill to amend 1967 PA 288, entitled "Land division act," by amending section 182 (MCL 560.182).

Without amendment and with the recommendation that the bill pass.

The bill was referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. Byrum, Young, Coulouris, Farrah, Johnson, Tobocman, Pavlov, Nitz, Meekhof and Opsommer

Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Byrum, Chair, of the Committee on Intergovernmental, Urban and Regional Affairs, was received and read:

Meeting held on: Wednesday, February 20, 2008

Present: Reps. Byrum, Young, Coulouris, Farrah, Johnson, Meadows, Tobocman, Pavlov, Nitz, Meekhof and Opsommer

The Committee on Families and Children's Services, by Rep. Clack, Chair, reported

House Bill No. 4923, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," (MCL 400.1 to 400.119b) by adding section 14j.

With the recommendation that the substitute (H-1) be adopted and that the bill then pass.

The bill and substitute were referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. Clack, Dean, Accavitti, Hammon, Sheen, Stahl and Hoogendyk

Nays: Rep. Palmer

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Clack, Chair, of the Committee on Families and Children's Services, was received and read:

Meeting held on: Wednesday, February 20, 2008

Present: Reps. Clack, Dean, Accavitti, Hammon, Sheen, Stahl, Hoogendyk and Palmer

Absent: Rep. Wojno

Excused: Rep. Wojno

The Committee on Tax Policy, by Rep. Bieda, Chair, reported

House Bill No. 4247, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 8 (MCL 211.8), as amended by 2006 PA 633.

Without amendment and with the recommendation that the bill pass.

The bill was referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. Bieda, Condino, Farrah, Robert Jones, Mayes, Meisner, Melton, Sheltroun, Warren, Young, Meltzer, Sheen, Steil, Palmer and Calley

Nays: None

The Committee on Tax Policy, by Rep. Bieda, Chair, reported

House Bill No. 5734, entitled

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 261 (MCL 208.1261).

Without amendment and with the recommendation that the bill pass.

The bill was referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. Bieda, Condino, Farrah, Robert Jones, Mayes, Meisner, Melton, Sheltroun, Warren, Young, Meltzer, Sheen, Steil, Palmer and Calley

Nays: None

The Committee on Tax Policy, by Rep. Bieda, Chair, reported

House Bill No. 5735, entitled

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 109 (MCL 208.1109).

Without amendment and with the recommendation that the bill pass.

The bill was referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. Bieda, Condino, Farrah, Robert Jones, Mayes, Meisner, Melton, Sheltroun, Warren, Young, Meltzer, Sheen, Steil, Palmer and Calley

Nays: None

The Committee on Tax Policy, by Rep. Bieda, Chair, reported

House Bill No. 5736, entitled

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 115 (MCL 208.1115).

Without amendment and with the recommendation that the bill pass.

The bill was referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. Bieda, Condino, Farrah, Robert Jones, Mayes, Meisner, Melton, Sheltroun, Warren, Young, Meltzer, Sheen, Steil, Palmer and Calley

Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Bieda, Chair, of the Committee on Tax Policy, was received and read:

Meeting held on: Wednesday, February 20, 2008

Present: Reps. Bieda, Condino, Farrah, Robert Jones, Mayes, Meisner, Melton, Sheltroun, Warren, Young, Meltzer, Sheen, Steil, Palmer and Calley

Absent: Reps. Pastor and Wenke

Excused: Reps. Pastor and Wenke

The Committee on Military and Veterans Affairs and Homeland Security, by Rep. Polidori, Chair, reported

Senate Bill No. 606, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," by amending section 411 (MCL 339.411), as amended by 2004 PA 373.

Without amendment and with the recommendation that the bill pass.

The bill was referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. Polidori, Brown, Dean, Lemmons, Sheltroun, Garfield, Pastor and Horn

Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Polidori, Chair, of the Committee on Military and Veterans Affairs and Homeland Security, was received and read:

Meeting held on: Wednesday, February 20, 2008

Present: Reps. Polidori, Brown, Dean, Lemmons, Sheltroun, Garfield, Pastor and Horn

Absent: Rep. Emmons

Excused: Rep. Emmons

Introduction of Bills

Rep. Calley introduced

House Bill No. 5773, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending sections 627 and 628 (MCL 257.627 and 257.628), as amended by 2006 PA 85.

The bill was read a first time by its title and referred to the Committee on Transportation.

Rep. Hopgood introduced

House Bill No. 5774, entitled

A bill to amend 1984 PA 270, entitled “Michigan strategic fund act,” by amending section 88o (MCL 125.2088o), as added by 2005 PA 215.

The bill was read a first time by its title and referred to the Committee on New Economy and Quality of Life.

Reps. Meadows, Vagnozzi, Bauer, Jackson, Simpson, Donigan, Scott, Robert Jones, Accavitti, Mayes, Espinoza, Melton, Clemente, Hammel, Polidori, Brown, Young, Ebli, Miller, Alma Smith, Leland, Lahti, Lindberg, Corriveau, Lemmons, Coulouris, Hammon and Farrah introduced

House Bill No. 5775, entitled

A bill to amend 1967 PA 281, entitled “Income tax act of 1967,” by amending section 269 (MCL 206.269), as added by 2004 PA 313.

The bill was read a first time by its title and referred to the Committee on Tax Policy.

Reps. Hune and Gaffney introduced

House Bill No. 5776, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” (MCL 500.100 to 500.8302) by adding section 2212c.

The bill was read a first time by its title and referred to the Committee on Insurance.

Reps. Pearce, Meekhof, Rick Jones and Casperson introduced

House Bill No. 5777, entitled

A bill to amend 1967 PA 281, entitled “Income tax act of 1967,” by amending sections 51a, 351, 355, and 365 (MCL 206.51a, 206.351, 206.355, and 206.365), section 51a as amended by 1996 PA 484, section 351 as amended by 2003 PA 22, section 355 as amended by 2003 PA 48, and section 365 as amended by 2003 PA 47.

The bill was read a first time by its title and referred to the Committee on Tax Policy.

By unanimous consent the House returned to the order of

Messages from the Senate**House Bill No. 5035, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 8517 (MCL 324.8517), as added by 1998 PA 276.

The Senate has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The House agreed to the full title.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

Senate Bill No. 364, entitled

A bill to amend 2005 PA 280, entitled “Corridor improvement authority act,” by amending sections 2, 5, 6, 9, 18, 20, 22, 23, and 27 (MCL 125.2872, 125.2875, 125.2876, 125.2879, 125.2888, 125.2890, 125.2892, 125.2893, and 125.2897), sections 5 and 18 as amended by 2007 PA 44.

The Senate has passed the bill.

The bill was read a first time by its title and referred to the Committee on New Economy and Quality of Life.

Senate Bill No. 471, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 521a (MCL 436.1521a), as added by 2006 PA 501.

The Senate has passed the bill.

The bill was read a first time by its title and referred to the Committee on Regulatory Reform.

Senate Bill No. 843, entitled

A bill to amend 1974 PA 154, entitled "Michigan occupational safety and health act," (MCL 408.1001 to 408.1094) by adding section 17.

The Senate has passed the bill.

The bill was read a first time by its title and referred to the Committee on Labor.

Senate Bill No. 1118, entitled

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 410 (MCL 208.1410).

The Senate has passed the bill.

The bill was read a first time by its title and referred to the Committee on Tax Policy.

Rep. Palsrok moved that the House adjourn.

The motion prevailed, the time being 4:05 p.m.

Associate Speaker Pro Tempore Byrnes declared the House adjourned until Thursday, February 21, at 12:00 Noon.

RICHARD J. BROWN
Clerk of the House of Representatives